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OFFICE OF PETITIONS

In re Application of :
Sauer et al. :
Application No. 10/637,079 : ON PETITION
Filed: August 8, 2003 :
For: CANCELLATION OF RINGING IN MAGNETIC :
RESONANCE UTILIZING A COMPOSITE PULSE :

This is a decision on the petition filed by facsimile transmission August 4, 2005, which is being treated as a petition under 37 CFR 1.181 to withdraw the holding of abandonment.


The petition considered under 37 CFR 1.181 is **granted**.

A Notice of Abandonment was mailed May 3, 2005, predicated on applicant's alleged failure to file a reply to the non final Office action of September 29, 2004, which set a shortened but extendable statutory period (to 6 months) for reply.

However, petitioner asserts, and inspection of the record herein confirms, that on March 29, 2005, applicant filed a petition and fee for a 3 month extension of time under 37 CFR 1.136(a), and a request for a Statutory Invention Registration ("SIR"), both timely. It is agreed that a timely SIR request is an acceptable reply to avoid a holding of abandonment.

This file is being referenced to the Technology Center for further processing consistent with this decision, and, in turn its referencing to TC 3662 for SIR processing, per MPEP 1101.

Telephone inquiries related to this communication should be directed to the undersigned at (571) 272-3217.


Brian Hearn
Petitions Examiner
Office of Petitions